

# MYTHS AND FACTS ON THE IMPACT OF NO CHILD LEFT BEHIND

---

**Myth: The No Child Left Behind Act (NCLBA) contains unfunded mandates.**

**Fact: The NCLBA does not contain any unfunded mandates.** Since 1995 (well after passage of the P.L. 94-142, the Individuals with Disabilities Education Act), Congress has been prohibited from passing any legislation that contains an unfunded mandate.

---

**Myth: The NCLBA will diminish local control.**

**Fact: Under the NCLBA, every school district in America will now have greater flexibility to spend Federal funds on local priorities and initiatives.**

Local school administrators are now empowered to make important spending decisions that previously would have been made by the U.S. Department of Education. For example, technology funds can now be used by the school district to improve teacher quality or vice versa. School districts can also transfer the majority of their federal funds into their Title I school improvement programs.

## New Flexibility under NCBLA

- School districts may transfer up to 50% of the funding they receive for Teacher Quality, Educational Technology, Innovative Programs (the old Title VI program), and Safe and Drug-Free Schools to any one of these programs or to Title I.
- School districts do not need the approval of either the State or Federal Department of Education to transfer money among the aforementioned programs.
- Interested school districts may transfer nearly 100% of their funding among the aforementioned programs, in exchange for entering into performance agreements with the state and federal government.
- Rural schools districts may consolidate all of the money they receive under the aforementioned program for local education priorities.

---

Maintained Flexibility under NCBLA

School districts remain solely responsible for curriculum decisions and the content areas stressed by their teachers.

School districts still have maximum flexibility in both deciding what courses of action can be taken to ensure that no school is identified as underperforming, as well as what needs to be done once a school has formally been identified as failing.

---

**Myth: No Child Left Behind will dictate what is taught in America's classrooms.**

**Fact: This is absolutely false. Not only does No Child Left Behind, expand flexibility for school districts to spend federal funds on local priorities, the law specifically states that the Federal government cannot mandate, direct or control a State or school district's specific instructional content, academic standards and assessment, curriculum, program or instruction.**

---

**Myth: School districts will not receive enough funds to fully implement the No Child Left Behind Act.**

**Fact: The education reforms contained in the No Child Left Behind Act were coupled with a historic increase in K-12 funding.** States received approximately a 21% increase in overall federal K-12 federal funding. The bulk of the increases are in the Title I (Education for Disadvantaged Children Program), Title II (Teacher Programs) and the technology and assessment programs.

Under Title I, grants to states and local districts increased by nearly \$1.6 billion or roughly 18%. Many school districts with high concentrations of poverty received 20% to 40% increases in Title I funding this year.

Under Title II, States received a 35% increase in teacher funds, which school districts can use for professional development or bonuses, merit pay, financial incentives to recruit and retain highly qualified teachers and class-size reduction.

**Myth: The new 3rd-8th grade annual testing requirement is an unfunded mandate.**

**Fact: The new testing requirements are not an unfunded mandate. Congress has already agreed to pay for the new assessments.** Congress took the highly unusual move to include legislative language that stipulates that States are not obligated to administer the new tests unless federal funds are appropriated to cover the costs of tests. The NCLBA specifically stipulates that the new test requirements only go into effect if the Federal government provides money to the States to pay for them.

Under the NCLBA, many states will be receiving proportionally more money (on a per grade basis) from the federal government to design and administer tests than they currently spend on the tests they already administer.

**States have received several million dollars to pay for the assessments three years before the assessment deadline goes into effect.** The assessments requirements do not have to be met until the 2005-2006 school year, yet States have already received development funds and will continue to receive millions of dollars in federal funding for the next several years to help them implement the new accountability provisions.

---

**Myth: The NCLBA contains new teacher requirements which are a costly unfunded mandate.**

**Fact: While the NCLBA does require that all teachers teaching core academic subjects be highly qualified by the 2005-2006 school year, the definition of a high quality teacher is not an unreasonable or costly requirement. The definition of a highly qualified teacher merely requires teachers to demonstrate subject mastery in the subjects they teach either through a State licensing or subject test or by possessing a major or minor in the subject area they teach.**

The large majority of the nation's teacher corps are already highly qualified. The new law also allows individuals who are participating in alternative certification programs to be considered as meeting the highly qualified definition. Again, all the law requires of teachers is that they have a major or minor in the subject area they teach or demonstrate proficiency by simply passing a State test.

**Overall, States received a 35% increase in teacher funds, for a total of \$2.85 billion in federal funds, which school districts can use for professional development, alternative certification programs, bonuses, merit-pay, financial incentives to recruit and retain teachers who know their subject area and class-size reduction.**

**Myth: The NCLBA contains new requirements for teacher assistants/paraprofessionals which will be expensive.**

**Fact: NCBLA merely requires that certain teacher assistants must have completed 2 years of study at a college or university or demonstrate through a State or local test, basic knowledge of and ability to assist in instructing, reading, writing and mathematics.** This requirement only pertains in cases where the duties of the paraprofessional include direct assistance in the instruction of a child and does not go fully into effect until the 2005-2006 school year.

The requirements do not apply to paraprofessionals who are proficient in English and who primarily provide translation services to students, whose duties consist solely of conducting parental involvement activities, who only provide non-instructional duties such as clerical duties or technical support for computers, or who provide personal care services, such as assistance with severely physically disabled students.

The 35% increase in teacher funding may also be used to help paraprofessionals meet the bare minimum requirement that they merely exhibit a basic knowledge of reading, math and writing before they can assist in the direct instruction of our children. The new law also explicitly preserves the flexibility for local school districts to develop their own assessment to measure the competency of paraprofessionals.

---

**Myth: The NCLBA accountability system is fatally flawed, the school choice and supplemental service provisions are costly.**

**Fact:** The law requires that all groups of students, including low-income students, minority and non-minority students, students with limited English proficiency and students with special needs, reach proficiency in 12 years. If a subgroup of students, such as low-income students, are not making consistent progress necessary for that subgroup to meet proficiency in 12 years in a certain school, that school is identified as in need of improvement. As a result, that school is eligible for additional federal funds to assist them in meeting the needs of the under performing population and the district is required to come up with a locally designed and implemented plan to get that school back on track.

The option of school choice and supplemental services, both of which are only exercised if a parent requests it, only go into effect if a school repeatedly, over the course of 2-3 years, is unable to improve the performance of the group of students it has known were under performing.

After 2-3 years, the law requires school districts to redirect some of their Title I money,

money that the district has been unable to use successfully to improve the performance of the group of students, to directly benefit the students either through public school choice or supplemental services.

It is not unreasonable or costly to require a school that has repeatedly struggled to improve the performance of its low-income students to use a portion of federal funds (funds that the poor students generate for the school) to directly benefit the very children the school has failed to successfully educate, especially if the parent is requesting the additional options that are needed to get their child back on track.

**In order to assist schools in getting all children to proficiency in 12 years, this past year, most school districts with high concentrations of poverty received increases in Title I funding of over 20% and some as high as 40%. These increases represent the most significant increases in Title I funding for these districts in the history of the program.**

---

**Myth: The new annual assessment requirements, contained in No Child Left Behind, override local curriculums or instructional practices.**

**Fact: Many States already administer assessments which have not led to a Statewide curriculum. Clearly, Statewide assessments do not mean a Statewide curriculum must follow. The additional Statewide tests, required by the NCLBA will not dictate local decisions about curriculum and instruction.**

The NCLBA requires that the new assessments be aligned to State standards, standards each State already has in place. The annual testing requirement merely builds on the assessment provisions in the old law. Since many school districts have already modeled their curriculum and instruction to be consistent with existing State standards, requiring additional assessments should not dramatically influence local education priorities.

Furthermore, under the new law, States could decide to use local assessments to meet the new testing requirements, provided that the State can demonstrate that the use of local tests still allows for a uniform or comparable measure of student performance across the State.